

February 15, 2022

The Honorable Merrick Garland
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Garland:

Yet again, reports have revealed even more concerning details about your infamous school-board memorandum from last October. In light of those new revelations, you must promptly disclose how much coordination your Department—at any level—had with outside groups.

Your memo instructed the FBI and federal prosecutors to investigate parents who were speaking at school board meetings. Although you admitted that you issued the memo in direct response to a September 29 letter by the National School Boards Association, which smeared parents as “domestic terrorists,” you claimed in testimony before Congress that you did not know whether your office had other communications with that group. Specifically, you said, “I have no idea whether there were conversations with the School Board Association.”

We now know from documents unveiled this week that the NSBA did in fact have advance knowledge of your memo and what it would include. This is only the latest revelation of coordination between the Biden administration and the NSBA. Last month, documents revealed that Secretary of Education Cardona personally solicited the NSBA to send its letter. While you have tried to portray your memo as ordinary law enforcement activity, these documents suggest instead that an outside group was intimately involved with your decision to issue this memo.

To its credit, the NSBA has since apologized for its letter and disavowed it, saying there was “no justification” for it and that the letter “directly contradict[ed] our core commitment to parent engagement.” But nobody has yet received a public apology from you or Secretary Cardona. And you have continued to stay silent on questions about your office’s coordination with the NSBA.

That silence must end. The American people deserve answers. You said last fall that you did not know whether members of your office coordinated with the NSBA, but since then you have had plenty of time to find out. You must immediately explain your own role in this affair, as well as how intimately involved the NSBA and other groups were in shaping the official actions of your office.

Please provide responses to the following questions by March 1:

1. You previously testified that you “worked on [the memo] myself.” Exactly what did your work on this memo entail?
2. If another person was the principal drafter,
 - a. Who was it?
 - b. Did you request any changes?
 - c. If so, what were those changes?
3. Did anybody at or on behalf of the NSBA, or any other outside organization, suggest language for the memo?
4. Did you or anybody in your office communicate with anybody at or on behalf of the NSBA between September 29 and October 4 last year?
5. Did you or anybody in your office communicate with anybody at or on behalf of the NSBA, or any other outside organization, before September 29 about topics addressed in the NSBA’s September 29 letter or your October 4 memo?
6. Did you or anybody in your office communicate with the White House before October 4 about this memo?
7. Did you or anybody in your office communicate with the Secretary Cardona before October 4 about this memo?

I await the Department’s response.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is fluid and cursive, with a large loop at the end.

Josh Hawley
United States Senator